

REMARKS

Claims 1-3 are cancelled without prejudice or disclaimer.

Claims 5 and 8 have been amended to depend from Claim 4 which is indicated as being allowable. The Applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated July 27, 2009.

In the Final Office Action, Claims 1-3 and 5-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Selvan in his publication entitled "Synthesis of Tunable, Highly Luminescent QD-Glasses through Sol-Gel Processing" in view of Talapin in his publication entitled "Synthesis and surface modification of amino-stabilized CdSe, CdTe and InP nanocrystals". Reconsideration and removal of this rejection are respectfully requested in view of the present amendments the following remarks.

In view of the aforementioned amendments and accompanying remarks, Claims 4-8, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

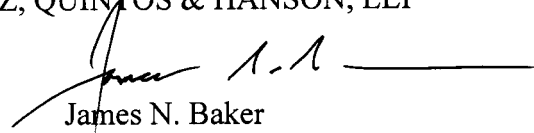
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. **10/518,216**
Response to OA dated July 27, 2009

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP


James N. Baker
Agent for Applicant
Reg. No. 40,899

JNB/ak

Atty. Docket No. **080308**
Suite 400
1420 K Street, N.W.
Washington, D.C. 20005
(202) 659-2930



23850

PATENT & TRADEMARK OFFICE

Enclosure: Petition for Extension of Time